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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 09790350-0002

First Inventor Peter Benda, et. al.

Title Transport Vehicle Capacity Maximization Logistics  
System and Method of Same

Express Mail Label No. EJ090386571US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 43]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 7 ]
5. Oath or Declaration [ Total Pages 4 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of  
*(when there is an assignee)*  Attorney
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part(CIP)    of prior application No.: / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	<i>(Insert Customer No. or Attach bar code label here)</i>			or	<input checked="" type="checkbox"/> Correspondence address below
Name	Howard B. Rockman, Sonnenschein Nath & Rosenthal				
Address	P.O. Box #0610780				
City	Chicago	State	IL	Zip Code	60606-1080
Country		Telephone	312-876-8000	Fax	312-876-7934

Name (Print/Type)	Howard B. Rockman	Registration No. (Attorney/Agent)	22,190	
Signature	<i>Howard B. Rockman</i>		Date	December 29, 2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

12/29/00

**CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**  
*(Retain this form in the SNR matter file)*

First Named Inventor		Peter Benda, et al.
Title	Transport Vehicle Capacity Maximization Logistics System and Method of Same	
Atty Docket Number		09790350-0002

**YOU MUST SELECT EITHER**  
**I. OR II.**

I. APPLICATION NOT TO BE PUBLISHED \*

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing.

I request that the attached application not be published under 35 U.S.C. 122(b). I understand that I may rescind this nonpublication request at any time.

Provisional rights are available to patentees to obtain compensation if others practice the invention during the period between publication and grant of patent. I understand that if my application is not published, I will not be entitled to exercise these provisional rights as provided by law.

II. APPLICATION TO BE PUBLISHED \*\*

A. Certification

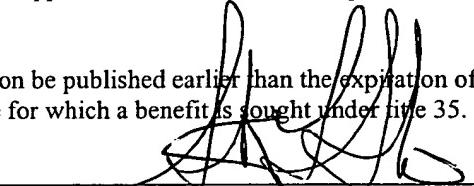
I hereby certify that the invention disclosed in the attached application is or will be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. I understand that the attached application for a patent shall be published promptly after the expiration of a period of 18 months from the earliest filing date for which a benefit is sought under title 35. Moreover, I understand that publication of the attached application will make the published application prior art under 35 U.S.C. § 102(e), even if the attached application never issues into a patent.

B. Early Publication (optional)

I request that the attached application be published earlier than the expiration of a period of 18 months from the earliest filing date for which a benefit is sought under title 35.

12/20/00

Date

  
Signature

Steven Halvie, President

Typed or printed name, Position

\* If an applicant who has made a nonpublication request subsequently files, in a foreign country or under a multilateral international agreement, an application directed to the invention disclosed in the application filed in the Patent and Trademark Office, the applicant must notify the United States Patent and Trademark Office of such filing not later than forty-five (45) days after the date of the filing of such foreign or international application. Failure to provide such notice will result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

\*\* A nonpublication request must be submitted with the application upon filing of the application. If this form is not returned to the Sonnenschein Nath & Rosenthal attorney of record prior to the filing of the application, the Sonnenschein Nath & Rosenthal attorney of record will not submit a nonpublication request and the application will be published as indicated under 35 U.S.C. 122(b).

UNITED STATES PATENT APPLICATION FOR

Transport Vehicle Capacity Maximization Logistics System and Method of Same

**Inventors:**

**Peter Benda, Steven LaVoie, William Osborn, Gary Davison, Peter D. Rocha**

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. § 1.10

"Express Mail" mailing label number: EJ090386571US

Date of Mailing: December 29, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, DC 20231 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

Endee Gilbert

Signature Date: December 29, 2000

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# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.

Small Entity payments **must** be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB-09-12. See 37 C.F.R. §§ 1.27 and 1.28.TOTAL AMOUNT OF PAYMENT (\$)  
793.00

## Complete if Known

Application Number	
Filing Date	December 29, 2000
First Named Inventor	Peter Benda, et. al.
Examiner Name	
Group / Art Unit	
Attorney Docket No.	09790350-0002

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
19-3140Deposit Account Name  
Sonnenschein Nath & Rosenthal Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2.  Payment Enclosed:

 Check     Money Order     Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	355.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)				355.00	

## 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	42 - 20** = 22	x 9	= 198
Independent Claims	9 - 3** = 6	x 40	= 240
Multiple Dependent			= 0

\*\* or number previously paid, if greater; For Reissues, see below

## Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	78	202 39 Independent claims in excess of 3
104	260	204 130 Multiple dependent claim, if not paid
109	78	209 39 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		438.00

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	0.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	0.00
139	130	139	130	Non-English specification	0.00
147	2,520	147	2,520	For filing a request for reexamination	0.00
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00
115	110	215	55	Extension for reply within first month	0.00
116	380	216	190	Extension for reply within second month	0.00
117	870	217	435	Extension for reply within third month	0.00
118	1,360	218	680	Extension for reply within fourth month	0.00
128	1,850	228	925	Extension for reply within fifth month	0.00
119	300	219	150	Notice of Appeal	0.00
120	300	220	150	Filing a brief in support of an appeal	0.00
121	260	221	130	Request for oral hearing	0.00
138	1,510	138	1,510	Petition to institute a public use proceeding	0.00
140	110	240	55	Petition to revive - unavoidable	0.00
141	1,210	241	605	Petition to revive - unintentional	0.00
142	1,210	242	605	Utility issue fee (or reissue)	0.00
143	430	243	215	Design issue fee	0.00
144	580	244	290	Plant issue fee	0.00
122	130	122	130	Petitions to the Commissioner	0.00
123	50	123	50	Petitions related to provisional applications	0.00
126	240	126	240	Submission of Information Disclosure Stmt	0.00
581	40	581	40	Recording each patent assignment per property (times number of properties)	0.00
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify)					0.00
Other fee (specify)					0.00
Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)	0.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Howard B. Rockman	Registration No. (Attorney/Agent)	22,190	Telephone	312-876-8000
Signature	Howard B. Rockman		Date	December 29, 2000	

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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